

HOUSE BILL 192

R5

0lr1921

By: **Delegates Malone and Kach**

Introduced and read first time: January 22, 2010

Assigned to: Environmental Matters

A BILL ENTITLED

1 AN ACT concerning

2 **Motor Vehicles – Reading Text Message While Driving – Prohibition**

3 FOR the purpose of prohibiting a person from using a text messaging device to read a
4 text message while operating a motor vehicle under certain circumstances; and
5 generally relating to the prohibition on the use of a text messaging device while
6 driving.

7 BY repealing and reenacting, with amendments,
8 Article – Transportation
9 Section 21–1124.1
10 Annotated Code of Maryland
11 (2009 Replacement Volume and 2009 Supplement)

12 BY repealing and reenacting, without amendments,
13 Article – Transportation
14 Section 27–101(a) and (b)
15 Annotated Code of Maryland
16 (2009 Replacement Volume and 2009 Supplement)

17 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF
18 MARYLAND, That the Laws of Maryland read as follows:

19 **Article – Transportation**

20 21–1124.1.

21 (a) (1) In this section the following words have the meanings indicated.

22 (2) “9–1–1 system” has the meaning stated in § 1–301 of the Public
23 Safety Article.

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 (3) “Text messaging device” means a hand held device used to send a
2 text message or an electronic message via a short message service, wireless telephone
3 service, or electronic communication network.

4 (b) Subject to subsection (c) of this section, a person may not use a text
5 messaging device to write [or send], **SEND, OR READ** a text message while operating a
6 motor vehicle in motion or in the travel portion of the roadway.

7 (c) This section does not apply to the use of:

8 (1) A global positioning system; or

9 (2) A text messaging device to contact a 9–1–1 system.

10 27–101.

11 (a) It is a misdemeanor for any person to violate any of the provisions of the
12 Maryland Vehicle Law unless the violation:

13 (1) Is declared to be a felony by the Maryland Vehicle Law or by any
14 other law of this State; or

15 (2) Is punishable by a civil penalty under the applicable provision of
16 the Maryland Vehicle Law.

17 (b) Except as otherwise provided in this section, any person convicted of a
18 misdemeanor for the violation of any of the provisions of the Maryland Vehicle Law is
19 subject to a fine of not more than \$500.

20 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
21 October 1, 2010.